




THE SECRETARY OF TRANSPORTATION  
WASHINGTON, D.C. 20590

APR 24 2006

MEMORANDUM TO: Heads of Operating Administrations  
Departmental Officers

FROM: Norman Y. Mineta 

SUBJECT: Increased Use of Alternate Dispute Resolution  
in Equal Employment Opportunity (EEO) Matters

On October 5, 2005, I met with Cari Dominguez, Chair, U.S. Equal Employment Opportunity Commission, regarding the U.S. Department of Transportation's (DOT) scorecard relating to equal employment opportunity matters. Ms. Dominguez emphasized the need for DOT to effectively use Alternate Dispute Resolution (ADR) in resolving EEO issues. During Fiscal Year 2004, DOT's participation in ADR at the pre-complaint process stage occurred only 20 percent of the time, as compared to the government-wide average of 43 percent. Of these cases, only 36 percent resulted in settlement at DOT, as compared to 49 percent government-wide. At the formal stage, DOT had a 13 percent ADR participation rate, as compared to the government-wide rate of 2.77 percent. Of these cases, DOT settled only 50 percent of the cases, as compared to 77 percent government-wide.

As DOT's leadership, each of you plays a crucial role in creating and maintaining a positive work environment. I encourage management officials at all levels to utilize ADR to the greatest extent possible. Additionally, given the significant cost of processing EEO cases, it is imperative that management be properly trained in conflict management and resolution.

To increase the awareness and use of ADR, the Departmental Office of Civil Rights (DOCR) has created an online video entitled "From Conflict to Resolution – The DOT Mediation Program for EEO Cases." This video may be accessed at the following site: [www.dotcr.ost.dot.gov/video/index.html](http://www.dotcr.ost.dot.gov/video/index.html). The video provides an overview of various factors, internal and external, that can cause conflict, and offers proactive solutions. Additionally, the video provides a role-play of a mediation session, as well as useful information on navigating the EEO process.

Further, DOCR, in conjunction with the Diversity Advisory Council, will be sponsoring an ADR Training Forum for senior management officials on the benefits of using ADR. Information pertaining to DOT's various ADR programs will be shared at this event. I encourage your attendance at this important educational forum. Additional details regarding the event will be forthcoming.

I am aware that DOCR has been meeting with many of you and other senior leaders on a quarterly basis to discuss civil rights initiatives. The increased use of ADR has been a major topic of discussion. Along with the status of other civil rights initiatives, J. Michael Trujillo, Director, DOCR, will report to me quarterly regarding the use of ADR in the EEO process throughout the Department.

I look forward to your support in this matter.